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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL REVISION APPLICATION NO.597 OF 2019

Vijay Anandrao Chougule	... Applicant
Versus	
Vijay Shivajirao Chavan and Anr.	... Respondents

Mr. Rushikesh Gajanan Patil for the Applicant.
Mr. Saurabh S. Kurade for the Respondent No.1.
Ms. PP. Shinde, APP for the Respondent – State.

**CORAM : SMT. SADHANA S. JADHAV, J.
DATE : 28th FEBRUARY 2020.**

PC.:

- 1 Heard respective parties. Application is admitted.
- 2 Applicant is convicted for an offence punishable under section 138 of Negotiable Instruments Act on the basis of the complaint filed by the Respondents herein.
- 2 The parties to the present Revision Application are seeking liberty to file consent terms.
- 3 An offence under section 138 of the Negotiable Instruments Act is a compoundable offence and hence, compounded the offence.
- 4 The parties to the present revision application have filed consent terms as they have amicably settled the disputes. Consent terms are taken on record and marked as article 'X' for the purpose of

identification. The parties are present before the Court. They further undertake to abide by the consent terms. In view of the above, Criminal Revision Application deserves to be allowed. Hence, the following order is passed:-

ORDER

- (i) Criminal Revision Application is accordingly allowed;
- (ii) The conviction and sentence passed by the learned Judicial Magistrate, First Class, Kolhapur in Summary Criminal Case No.236 of 2015 dated 22nd November 2016 and confirmed by the Ad-hoc Additional Sessions Judge, Kolhapur vide judgment and order dated 4th November 2019 in Criminal Appeal No.190 of 2016 is hereby quashed and set aside;
- (ii) The applicant - accused is acquitted of all the charges levelled against him. Fine amount, if paid, be refunded;
- (iii) The Respondent No.1 herein is at liberty to withdraw Rs.35,000/- deposited before the Judicial Magistrate, First Class, Kolhapur;
- (iv) Criminal Revision application is accordingly disposed of.

(SMT. SADHANA S. JADHAV, J.)